

The Gazette



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## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 5th April 1958 :—

Issue No.	No. and date	Issued by	Subject
40-A	S. O. 371-A dated the 27th March 1958.	Ministry of Law.	Declarations containing the names of the candidates elected to the Council of States.
41-A	S. O. 372-A, dated the 28th March 1958.	Ministry of Transport and Communications.	Appointment of date on which the Road Transport Corporation Act, 1950 shall come into force in the Union Territory of Himachal Pradesh.
42	S. O. 373, dated the 29th March 1958.	Ministry of Finance.	Exemption from customs duty the articles specified therein for the use of Vice-President of India.
43	S. O. 374, dated the 29th March 1958.	Ministry of Commerce and Industry.	The Central Government rescinds the notification No. 2 (24) Jute/53, dated the 29th October, 1953.
	S. O. 375, dated the 29th March 1958.	Ditto.	Section 15 of the Forward Contracts (Regulation) Act, 1952, shall apply to raw Jute in the City of Calcutta.
	S. O. 376, dated the 29th March 1958.	Ditto.	Section 15 of the Forward Contracts (Regulation) Act 1952, shall apply to Jute goods in the City of Calcutta.
	S. O. 377, dated the 29th March 1958.	Ditto.	Restriction in the entry into any forward contract for the sale and purchase of raw jute.
	S. O. 378, dated the 29th March 1958.	Ditto.	Restriction in the entry into any forward contract for the sale and purchase of jute goods.
	S. O. 379, dated the 29th March 1958.	Ditto.	Grant of recognition to the East India Jute and Hessian Exchange Limited Calcutta, in respect of forward contracts in raw jute.

Issue No.	No. and date	Issued by	Subject
	S. O. 380, dated the 29th March 1958.	Ditto.	Grant of recognition to the East India Jute and Hessian Exchange Limited, Calcutta in respect of forward contract in Jute goods.
	S. O. 381, dated the 29th March 1958.	Ditto.	Sections 15 and 16 of the Forward Contracts (Regulation) Act, 1952 shall not apply, in the city of Calcutta, to the sale and purchase of jute goods.
	S. O. 382, dated the 29th March 1958.	Ditto.	Sections 15 and 16 of the Forward Contracts (Regulation) Act, 1952 shall not apply, in the city of Calcutta to the sale or purchase of raw Jute.
	S. O. 383, dated the 28th March 1958.	Ministry of Railways	Appointment of Claims Commissioner for railway accident at Sonarpur station of the Eastern Railway on 26th February, 1958.
44	S. O. 384, dated the 31st March 1958.	Ministry of Commerce and Industry.	Amendment made in the notification No. 3143, dated the 5th October, 1957.
45	S. O. 385, dated the 1st April 1958.	Election Commission, India.	Election of a person to the House of the People from the Gurgaon Parliamentary Constituency.
	S. O. 386, dated the 1st April 1958.	Ditto.	Appointment of dates for election to the House of the People from the Gurgaon Parliamentary constituency.
	S. O. 387, dated the 1st April 1958.	Ditto.	Fixation of the hours during which the poll shall be taken for election to the House of the People from the Gurgaon Parliamentary constituency.
46	S. O. 388, dated the 1st April 1958.	Ministry of Commerce and Industry.	Fixation of the price of tea for the purpose of Item 5 in the Second Schedule to the Indian Tariff Act, 1934.
47	S. O. 444, dated the 1st April 1958.	Ditto.	Orders of the Licensing authority under clause 10 (a) of the Tea (Distribution and Export) Control Order, 1957.
	S. O. 445, dated the 1st April, 1958.	Ministry of Information and Broadcasting.	Certification of a film to be of the description specified therein.

Issue No.	No. and date	Issued by	Subject
48	S. O. 446, dated the 2nd April 1958.	Ministry of Commerce and Industry.	The Non-Ferrous Metals Control Order, 1958.
	S. O. 447, dated the 2nd April 1958.	Ditto.	Delegation of powers to the Chief Industrial Adviser to the Government of India and the Development Officer (Metals) in relation to non-ferrous metal.
49	S. O. 448, dated the 3rd April 1958.	Election Commission, India.	Method of voting by marking the ballot paper shall be followed in the bye-election to the House of the People from the Gurgaon constituency.
50	S. O. 449, dated the 3rd April 1958.	Ministry of Finance.	Corrigendum to S. O. 373, dated the 29th March 1958.
51	S. O. 450, dated the 2nd April 1958.	Ministry of Law.	List of members elected to the council of States by the Legislative Assemblies of each State.
52	S. O. 451, dated the 28th March 1958.	Election Commission, India.	Judgement in the Appeal against Order, No. 303 of 1957.
53	S. O. 452, S.O. 453 and S.O. 454 dated the 1st April 1958.	Ministry of Finance.	Directions by the Central Government regarding sum payable to a State in connection with sale or purchase of sugar, tobacco, and cotton fabrics, rayon or artificial silk fabrics or woollen fabrics.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

## PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

### MINISTRY OF FINANCE

#### (Department of Expenditure)

#### RESOLUTION

New Delhi, the 8th April 1958

**S.O. 453.**—The President is pleased to direct that the following further amendment shall be made to the Supplementary Rules, namely:—

For the existing sub-clause 1-A of clause (a) of rule 116, the following shall be substituted namely:—

*"1-A—For journeys by air.*

(i) A Government servant travelling by air on transfer between places connected by rail and/or steamer, is entitled to draw.

(a) if he is authorised to travel by air on transfer, the air fares actually paid for himself and the members of his family; or

if he is not so authorised, the air fares actually paid for himself and the members of his family, or the railway and/or steamer fares which would have been paid had he travelled by the appropriate class by rail and/or steamer, whichever is less; and

(b) the incidental fares/expenses which would have been admissible to him had he performed the journey by rail and/or steamer.

(ii) A Government servant travelling by air on transfer between places connected by road only is entitled to draw—

(a) if he is authorised to travel by air on transfer, the air fares actually paid for himself and members of his family; or

if he is not so authorised, lower of the following two:—

(1) the air fares actually paid for himself and the members of his family;  
or

(2) a single road mileage allowance at the rate which would have been applicable to him had he performed the journey by road if he travels alone, at twice the above rate if he is accompanied by not more than two members of his family, and at thrice the above rate if accompanied by more than two members of his family; and

(b) by way of incidentals, a single road mileage allowance at the rate which would have been applicable to him had he performed the journey by road".

Ordered that the Resolution be published in the Gazette of India.

[No. F.20(18)-E.IV/56.]

C. B. GULATI, Dy. Secy.

## (Department of Economic Affairs)

New Delhi, the 1st April 1958

S.O. 459.—Statement of the Affairs of the Reserve Bank of India, as on the 28th March, 1958.

## BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up . . . . .	5,00,00,000	Notes . . . . .	10,21,14,000
Reserve Fund . . . . .	80,00,00,000	Rupee Coin . . . . .	10,68,000
National Agricultural Credit (Long-term Operations) Fund . . . . .	20,00,00,000	Subsidiary Coin . . . . .	2,76,000
National Agricultural Credit (Stabilisation) Fund . . . . .	2,00,00,000	Bills Purchased and Discounted:—	
Deposits:—		(a) Internal . . . . .	..
(a) Government		(b) External . . . . .	..
(1) Central Government . . . . .	48,33,31,000	(c) Government Treasury Bills . . . . .	7,67,89,000
(2) Other Governments . . . . .	54,85,01,000	Balances held abroad* . . . . .	95,81,03,000
(b) Banks . . . . .	67,83,27,000	Loans and Advances to Governments** . . . . .	21,23,24,000
(c) Others . . . . .	117,51,52,000	Other Loans and Advances† . . . . .	78,40,12,000
Bills Payable . . . . .	29,41,08,000	Investments . . . . .	238,44,47,000
Other Liabilities . . . . .	41,04,73,000	Other Assets . . . . .	14,07,59,000
TOTAL . . . . .	465,98,92,000	TOTAL . . . . .	465,98,92,000

\*Includes Cash &amp; Short term Securities.

\*\*Includes temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 26,58,16,000/- advanced to scheduled banks against usance bills under Section 17 (4) (c) of the Reserve Bank of India Act.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 28th day of March 1958.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department . . . .	10,21,14,000	1589,34,53,000	A. Gold Coin and Bullion:—		
Notes in circulation . . . .	1579,13,39,000		(a) Held in India . . . .	117,76,03,000	
Total Notes issued . . . .			(b) Held outside India . . . .	..	
			Foreign Securities . . . .	171,19,43,000	
			Total of A . . . .		288,95,46,000
			B. Rupee Coin . . . .		129,28,66,000
			Government of India Rupee Securities		1171,10,41,000
			Internal Bills of Exchange and other commercial paper. . . .		..
TOTAL LIABILITIES . . . .		1589,34,53,000	TOTAL ASSETS . . . .		1589,34,53,000

Dated the 1st day of April 1958.

H. V. R. JENGAR, Governor.

[No. F. 3(2)-F. 1/58.]

A. BAKSI, Jt. Secy.

## (Department of Economic Affairs)

New Delhi, the 3rd April 1958

S.O. 460.—In exercise of the powers conferred by clause (a) of sub-section (2) of section 72 of the States Reorganisation Act, 1956 (37 of 1956), the President hereby declares—

(a) that from and out of the Consolidated Fund of the State of Rajasthan, the sums specified in column 4 of the Schedule annexed to this notification amounting in the aggregate to the sum of three crores, fifty-five lakhs, thirty-one thousand, five hundred and ninety rupees shall be deemed to have been duly authorised to be paid and applied to meet the amount spent for defraying the charges in respect of the services specified in column 2 of the Schedule during the financial year ended on the 31st day of March, 1954, in excess of the amounts granted for those services and for that year; and

(b) that the sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Rajasthan under this notification shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1954.

## THE SCHEDULE

Sl. No.	Services and purposes	Heads of Accounts	Excess		
			Voted Portion	Charged Portion	Total
1	2	3	4		
			Rs.	Rs.	Rs.
1. Stamps		9—Stamps	99,387	..	99,387
2. Charges on account of Motor Vehicles Act.		12—Charges on account of Motor Vehicles Act	4,245	..	4,245
3. Interest on Debt and other Obligations.		22—Interest on Debt and other Obligations	..	41,809	41,809
4.† General Administration		25—General Administration	..	1,324	1,324
5. Superannuation Allowances and pensions		55—Superannuation Allowances and Pensions	18,506	..	18,506
& Commutation of Pensions financed from Ordinary Revenues.		55A—Commutation of Pensions financed from Ordinary Revenues.			
6. Stationery & Printing		56—Stationery & Printing	2,78,931	..	2,78,931
7. Extraordinary Charges		63—Extraordinary Charges	67,762	..	67,762
8. Capital Outlay on Electricity Schemes.		81A—Capital Outlay on Electricity Schemes	37,669	..	37,669
9. Public Debt		N—Public Debt	..	3,33,17,523	3,33,17,523
10. Loans and Advances by State Govts.		R—Loans and Advances by State Govts.	16,64,434	..	16,64,434
			21,70,934	3,33,60,656	3,55,31,590

[No. F. 21(3)-B/58.]

H. S. NEGI, Joint Secy.

**(Department of Economic Affairs)****Office of the Controller of Capital Issues****ORDER***New Delhi, the 2nd April 1958*

**S.O. 461.**—In exercise of the powers conferred by sub-section (1) of section 6 of the Capital Issues (Control) Act, 1947 (29 of 1947), the Central Government hereby makes the following further amendment in the Capital Issues (Exemption) Order 1949, namely:

"In sub-clause (c) of clause 3 of said Order after the words 'Industrial Credit and Investment Corporation of India Limited' the words 'or the National Industrial Development Corporation (Private) Limited' shall be inserted".

This amendment shall be deemed to have taken effect on and from the 7th January, 1957.

[No. R.457-CCI/56-1665.]

S. VOHRA,

Controller of Capital Issues.

**(Department of Revenue)****CUSTOMS***New Delhi, the 25th March, 1958*

**S.O. 462.**—In exercise of the powers conferred by Section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby exempts from the whole of customs duty posters, pamphlets and other printed material intended for tourist propaganda purposes provided they are issued by or under the auspices of the Governments of the countries, being countries outside India, within which travel is to be stimulated and are not primarily intended to advertise the services of any private tourist agency.

[No. 103.]

**S.O. 463.**—In exercise of the powers conferred by Section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following amendment in the notification of the Government of India in the late Finance Department (Central Revenues) No. 39-Customs, dated the 22nd June, 1935 as amended from time to time, namely:—

The entry at Serial number 28 M. of Schedule I to the said notification shall be omitted

[No. 104.]

M. A. RANGASWAMY, Dy. Secy.

**(Department of Revenue)****INCOME-TAX***New Delhi, the 3rd April 1958*

**S.O. 464.**—In exercise of the powers conferred by sub-section (2C) of section 10 of the Income-tax Act, 1922 (11 of 1922), the Central Government hereby makes the following amendments in the Income-tax Allowances (Current Profits Deposit) Rules, 1957, published in this Ministry's Notification No. 735, dated 4th January, 1958, namely:—

In the said Rules, for Rule 16, the following shall be substituted, namely:—

"Rule 16.—Any amount deposited by a company under sub-section (2B) of section 10 of the Act shall, to the extent it has not been previously refunded under these Rules, be refunded to it on the first day of July, 1958 or thereafter."

[No. 30.]

N. H. NAQVI, Dy. Secy.



## (Department of Revenue)

## ORDER

## STAMPS

*New Delhi, the 2nd April 1958*

**S.O. 465.**—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the sale deed executed by the Embassy of Ethiopia in India in respect of house No. 29, Prithviraj Road, New Delhi, is chargeable under the said Act.

[No. 7].

B. B. GUJRAL, Under Secy.

**CENTRAL EXCISE COLLECTORATE, HYDERABAD (DN)****CENTRAL EXCISES***Dyderabad-Dn., the 22nd March 1958*

**S.O. 466.**—In exercise of the powers conferred on me under the second provisos to Rules 15 and 16 of the Central Excise Rules, 1944:—

(i) I hereby exempt all growers who cultivate tobacco in an area not exceeding 12 cents in:—

(a) Gadwal, Atmakur, Kollapur, Wanaparthi, Makthal, Mahbubnagar; Kalwakurthy, Nagarkurnool and Achampeta Taluks of the Mahbubnagar District lying in the Central Excise Circle of Mahbubnagar; and

(b) The whole of Kodangal and Shadnagar Taluks of Mahbubnagar District lying in the Central Excise Circle of Hyderabad II; from furnishing the declaration prescribed in Rule 15 of the Central Excise Rules, 1944.

(ii) I also exempt the curers of Tobacco in the aforesaid areas, who cure a quantity not exceeding 60 lbs. from furnishing the declaration prescribed under Rule 16 of the Central Excise Rules.

2. These exemptions shall not apply to Flue Cured Tobacco.

[Issued from file C No. I/22/105/56-E.]

[No. 1/58.]

**S.O. 467.**—In exercise of the powers conferred on me under the second provisos to Rules 15 and 16 of the Central Excise Rules, 1944:—

(i) I hereby exempt all growers who cultivate tobacco in an area not exceeding 12 cents in the whole of Penugonda Taluk of Anantapur District lying in the Anantapur Central Excise Circle from furnishing the declaration prescribed under rule 15 of the Central Excise Rules, 1944.

(ii) I also exempt the curers of Tobacco in the aforesaid area, who cure a quantity not exceeding 60 lbs., from furnishing the declaration prescribed under Rule 16 of the Central Excise Rules.

2. These exemptions shall not apply to Flue Cured Tobacco.

[Issued from file C No. I/22/105/56-E.]

[No. 2/58.]

**S.O. 468.**—In exercise of the powers conferred on me under the second provisos to Rules 15 and 16 of the Central Excise Rules, 1944;

(i) I hereby exempt all growers who cultivate tobacco in an area not exceeding 12 cents in the whole of Kamareddy, Nizamabad, Bodhan, Banswada and Yellareddy Taluks, Kummaraipalli, Balkonda, Bhimgal (Mortad), Srikonda Firkas of Armur Taluk of Nizamabad District lying in the Central Excise Circle of Nizamabad from furnishing the declaration prescribed in Rule 15 of the Central Excise Rules, 1944.

- (ii) I also exempt the curers of Tobacco in the aforesaid areas, who cure a quantity not exceeding 60 lbs. from furnishing the declaration prescribed under Rule 16 of the Central Excise Rules.

2. These exemptions shall not apply to Flue Cured Tobacco.

[Issued from file C No. I/22/105/56-E.]

[No. 3/58.]

**S.O. 469.**—In exercise of the powers conferred on me under the second Provisos to Rules 15 and 16 of the Central Excise Rules, 1944:—

- (i) I hereby exempt all growers who cultivate tobacco in an area not exceeding 12 cents in the whole of Nirmal and Madhole Taluks of the Adilabad District lying in the Central Excise Circle of Nizamabad from furnishing the declaration under Rule 15 of the Central Excise Rules, 1944.

- (ii) I also exempt the curers of Tobacco in the aforesaid areas, who cure a quantity not exceeding 60 lbs. from furnishing the declaration required under Rule 16 of the Central Excise Rules, 1944.

2. These exemptions shall not apply to Flue Cured Tobacco.

[Issued from file C No. I/22/105/56-E.]

[No. 4/58.]

**S.O. 470.**—In exercise of the powers conferred on me under the second Provisos to Rules 15 and 16 of the Central Excise Rules, 1944:—

- (i) I hereby exempt all growers who cultivate tobacco in an area not exceeding 10 cents in the Karimnagar District, lying in the Central Excise Circle of Karimnagar, from furnishing the declaration under Rule 15 of the Central Excise Rules, 1944.

- (ii) I also exempt the curers of Tobacco in the aforesaid areas, who cure a quantity not exceeding 60 lbs. from furnishing the declaration required under Rule 16 of the Central Excise Rules.

2. These exemptions shall not apply to Flue Cured Tobacco.

[Issued from file C No. I/22/105/56-E.]

[No. 5/58.]

**S.O. 471.**—In exercise of the powers conferred on me under the second Provisos to Rules 15 and 16 of the Central Excise Rules, 1944:—

- (i) I hereby exempt all growers who cultivate tobacco in an area not exceeding 10 cents in the Parkal Taluk of Warangal District lying in the Central Excise Circle of Karimnagar, from furnishing the declaration under Rule 15 of the Central Excise Rules, 1944.

- (ii) I also exempt the curers of Tobacco in the aforesaid area, who cure a quantity not exceeding 60 lbs. from furnishing the declaration required under Rule 16 of the Central Excise Rules, 1944.

2. These exemptions shall not apply to Flue Cured Tobacco.

[Issued from file C No. I/22/105/56-E.]

[No. 6/58.]

**S.O. 472.**—In exercise of the powers conferred on me under the second Provisos to Rules 15 and 16 of the Central Excise Rules, 1944:—

- (i) I hereby exempt all growers who cultivate tobacco in an area not exceeding 10 cents in the Luxettipet and Chennur Taluks of the Adilabad District lying in the Central Excise Circle of Karimnagar from furnishing the declaration under Rule 15 of the Central Excise Rules, 1944.

- (ii) I also exempt the curers of Tobacco in the aforesaid areas, who cure a quantity not exceeding 60 lbs. from furnishing the declaration required under Rule 16 of the Central Excise Rules, 1944.

2. These exemptions shall not apply to Flue Cured Tobacco.

[Issued from file C No. I/22/105/56-E.]

[No. 7/58.]

**S.O. 473.**—In exercise of the powers conferred on me under the second provisos to Rules 15 and 16 of the Central Excise Rules, 1944:—

- (i) I hereby exempt all growers who cultivate tobacco in an area not exceeding 12 cents in the whole of Ibrahimpatam Taluk except Yacharam Firka, and Hyderabad East Taluk except Hyatnagar and Amberpet Firkas, Tandur, Pargi and Medchal Taluks of Hyderabad District lying in the Central Excise Circle of Hyderabad II from furnishing the declaration under Rule 15 of the Central Excise Rules, 1944.
  - (ii) I also exempt the curers of Tobacco in the aforesaid areas, who cure a quantity not exceeding 60 lbs. from furnishing the declaration required under Rule 16 of the Central Excise Rules, 1944.
2. These exemptions shall not apply to Flue Cured Tobacco.

[Issued from file C No. I/22/105/56-E.]

[No. 8/58.]

**S.O. 474.**—In exercise of the powers conferred on me under the second provisos to Rules 15 and 16 of the Central Excise Rules, 1944:—

- (i) I hereby exempt all growers, who cultivate tobacco in an area not exceeding 15 cents in the whole of Bhimvaram Taluk of the West Godavari District lying in the Central Excise Circle of Masulipatam from furnishing the declaration prescribed in Rule 15 of the Central Excise Rules, 1944.
  - (ii) I also exempt the curers of Tobacco in the aforesaid areas, who cure a quantity not exceeding 99 lbs. from furnishing the declaration required under Rule 16 of the Central Excise Rules, 1944.
2. These exemptions shall not apply to Flue Cured Tobacco.

[Issued from file C No. I/22/105/56-E.]

[No. 9/58.]

**S.O. 475.**—In exercise of the powers conferred on me under the second provisos to Rules 15 and 16 of the Central Excise Rules, 1944:—

- (i) I hereby exempt all growers, who cultivate tobacco in an area not exceeding 15 cents in the whole of Gudivada, Kaikalur and Bandar Taluks of the Krishna District lying in the Central Excise Circle of Masulipatam from furnishing the declaration prescribed in Rule 15 of the Central Excise Rules, 1944.
- (ii) I also exempt the curers of Tobacco in the aforesaid areas, who cure a quantity not exceeding 99 lbs. from furnishing the declaration required under Rule 16 of the Central Excise Rules, 1944.

2. These exemptions shall not apply to Flue Cured Tobacco.

[Issued from file C No. I/22/105/56-E.]

[No. 10/58.]

**S.O. 476.**—In exercise of the powers conferred on me under the second provisos to Rules 15 and 16 of the Central Excise Rules, 1944:—

- (i) I hereby exempt all growers, who cultivate tobacco in an area not exceeding 12 cents in Duggirala, Tenali, and Amruthaluru Firkas of Tenali Taluk; Kuchanapudi, Matlapudi, Cherukupalli and Dhullipudi Firkas of Repalle Taluk of Guntur District, lying in the Central Excise Circle of Tenali, from furnishing the declaration prescribed in Rule 15 of the Central Excise Rules, 1944.
- (ii) I also exempt the curers of Tobacco in the aforesaid areas, who cure a quantity not exceeding 99 lbs. from furnishing the declaration required under Rule 16 of the Central Excise Rules, 1944.

2. These exemptions shall not apply to Flue Cured Tobacco.

[Issued from file C No. I/22/105/56-E.]

[No. 11/58.]

R. PRASAD, Collector of Central Excise.

## CENTRAL EXCISE COLLECTORATE, BARODA

## CENTRAL EXCISE

Baroda the 27th March 1958

**S.O. 477**—In exercise of the powers conferred upon me under Rule 5 of the Central Excise Rules, 1944 and in supersession of all previous orders and Notifications on the subject, I authorise the Central Excise Officers not below the rank mentioned in column No. 2 of the table below, to exercise within their respective jurisdictions the powers of the Collector under the Central Excise Rules mentioned against each in column No. 3 of the table subject to the restrictions mentioned in column No. 4 :—

Sl. No.	The Rank of the Central Excise Officer	No. of Central Excise Rules	Restrictions, if any
1	2	3	4
1.	Deputy Collector .	18, 30, 150(i), 169, 210A, 222, 228(i), 145(b).	
2.	Assistant Collectors	9, 12, 13, 14, 14A 65(3), 65(4), 75 93(b), 97, 100, 161, 183, 184, 189, 189(b), 192 193, 210A, 212, 223A, 227 (i), 229, 230, 145(a).	<p><b>Rule 12.</b>—Powers under this Rule to be exercised only under provisos (iii), (v) and (vi) of the Govt. of India, Ministry of Finance, (Revenue Division) Notification, No. 10, Central Excise, of 5-4-49 published in Appendix XI of the Central Excise Manual.</p> <p>Powers under the proviso added to this rule <i>Vide</i> Govt. of India Notification No. 8-CER/56, dated 14-7-56 will also be exercised by these officers.</p> <p><b>Rule 14-A.</b> Powers under this rule are in relation to demanding duty without limit and imposing penalty up to Rs. 250/-.</p> <p><b>Rule 93—(b).</b>—For the sake of coordination it should be reported to the Collector.</p> <p><b>Rule 192.</b>—Powers under this rule are to be exercised subject to the condition that the power of fixing the cost of supervisory staff will be exercised by the collector.</p> <p><b>Rule 210A.</b>—Powers under this rule to be exercised if the value of the goods does not exceed Rs. 2000/-.</p>
2.	Superintendents .	3, 12, 38, 47(i), 59 71(3), 96-I, 140, 154, 160, 165(2), 210-A, 224(i), 224-B.	<p><b>Rule 12.</b>—Powers under this rule are to be exercised only under provisions (iii) and (vii) of the Govt. of India, Ministry of Finance (Revenue Division) Notification No. 10-Central Excise-dated 5-4-49 published in appendix XI of the Central Excise Manual.</p>

1	2	3	4
			<p><i>Rule 71(3).</i>—A copy of the approved label shall be sent to the Collector's office for record.</p> <p><i>Rule 140.</i>—Powers under this rule are limited to licensing of private bonded warehouses except Class I and to acceptance of bonds in respect thereof.</p> <p><i>Rule 210-A.</i>—The powers under this rule are to be exercised if the value of goods does not exceed Rs. 500/-.</p> <p><i>Rule 224(1).</i>—Superintendents shall however send a statement of such applications dealt with by them at the end of every calendar month to the Collector.</p> <p><i>Rule 224-B.</i>—Superintendents will issue duplicates of documents other than transport permits and sale notes.</p>
4.	Licensing authority	9, 43, 44, 46, 47(3) 48, 57(d), 151(b), 180.	<p><i>Rule 9.</i>—So far as it relates to specification of premises.</p> <p><i>Rules 43, 47(3) and 151 (b).</i>—Powers under these rules will be exercised by the Superintendents once the licence is issued.</p>
5.	Inspectors	13, 27(i), 153, 224-B.	<p><i>Rule 13.</i> In so far as it relates to acceptance of the individual bonds.</p> <p><i>Rule 224-B.</i>—Powers limited to the issue of duplicates of transport permits and sale notes.</p>
6.	Proper Officer	155	<i>Rule 155.</i> —Powers under this rule shall be exercised by the proper officer who originally accepts the bonds under rules 140 and 164.
7.	Supervisors	50, 144, 158, 185, 197	<p><i>Rule 50.</i>—Powers under this rule will be exercised in the absence of Inspectors or where Supervisors are posted in independent charge of factories.</p> <p><i>Rule 197.</i>—Powers under this rule shall also be exercised by any officer deputed by the Chemical Examiner.</p> <p><i>Rules 158 and 185.</i>—Powers under these rules shall be limited to clearances of tobacco from bonded warehouses of Class III and Class IV categories subject to periodical post test checks by the Inspector and the Deputy Superintendent.</p>
8.	All Central Excise Officers.	199, 200	<i>Rule 200.</i> The powers of seizure under rule 200 shall not be exercised by class IV officers.

[No. 1/1958.]

G. KORUTHU,  
Collectors of Central Excise Baroda,

## OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, BOMBAY

## NOTICES

Bombay, the 20th February 1958

**S.O. 478.**—Whereas it appears that the marginally noted goods which were

S. No.	Description	Quantity
1.	Foreign liquor 'Consantano Brandy'	bottle 26.
2.	Goa Country liquor.	{ 17½ bottle 2 Khujas.
3.	Betelnuts.	180 lbs.
4.	Empty bottles	3.
5.	Gunny bag	11.
6.	Pyjama (old Cotton)	1.
7.	Half Pants (old Cotton)	2.
8.	Hand Bag.	1.

seized at Bhagwati Sari in Kuveshi Range on the Goa Frontier on 29th December, 1957 were imported by land from Goa (Portuguese Territory in India) in contravention of Section 5(1) of the Land Customs Act, 1924 and the Government of India, Ministry of Commerce & Industries Import Trade Control order No. 17/55, dated 7th December, 1955, issued under the Import & Export (Control) Act, 1947 and deemed to have been issued under Section 19 of the Sea Customs Act, 1878 and

the Goa Country liquor was imported in contravention of the Government of India, Finance Department (C.R.) Notification No. 2 Camp Custom, dated 26th January, 1946, issued under Section 19 of the Sea Customs Act, 1878. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Deputy Collector Central Excise, Bombay, why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878 and why a penalty should not be imposed on him under Section 7(1) (c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10(15)Cus/58.]

(Sd.) M. T. SHANBHAG,

Dy. Collector of Central Excise, Bombay.

Bombay the 26th March 1958

**S.O. 479.**—Whereas it appears that the marginally noted goods which were

One holdall containing:—	
Silk DAHFOONG Silk	8 Takas.
Mills Royal	(400 yds.)
Double Ghoda Boski	One Taka
	(50 yds.)
Bed Sheet Cotton	One.

seized by the Central Excise staff on 11th January 1958, at Sanjan Railway Station, were imported by Land from Daman (Portuguese Territory in India) in contravention of Section 5(1) of the Land Customs Act, 1924 and the Government of India, Ministry of Commerce and Industries I.T.C. Order No. 17/55, dated 7th

December 1955 issued under the I & E(C) Act, 1947 and deemed to have been issued under section 19 of the Sea Customs Act, 1878. Now therefore, any person claiming the goods is hereby called upon to show cause to the Collector of Central Excise and Land Customs Bombay, why the above-mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) and Section 168 of the Sea Customs Act 1878 and why a penalty should not be imposed on him under section 7(1)(c) of the Land Customs Act, 1924 read with section 167(8) of the Sea Customs Act, 1878.

If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)19(36)Cus/58.]

**S.O. 480.**—Whereas it appears that the marginally noted goods which were

S. N.	Description	Qty.
1.	Double size jars of Goa Country liquor. . .	20
2.	Single " " " "	5
3.	Single size glass jar of Branco Wine (foreign liquor) . . .	1

seized at Belakeri port on 31st May 1957 by the Central Excise and the Customs Staff at Belakeri port were imported from Goa (Portuguese Territory in India) in contravention of the Government of India Ministry of Commerce and Industries I.T.C. Order No. 17/55, dated 7th December 1955, issued under the Import and Export (Control) Act 1947 and

deemed to have been issued under Section 19 of the Sea Customs Act 1878 and the Government of India, F.D. (C.R.) Notification No. 2 Camp Custom, dated 26th January 1946 issued under Section 19 of the Sea Customs Act, 1878. Now therefore, any person claiming the goods is hereby called upon to show cause to the Collector of Central Excise, Bombay why the above-mentioned goods should not be confiscated under Section 167(8) of the Sea Customs Act, 1878 and why a penalty should not be imposed on him under Section 167(8) of the Sea Customs Act, 1878.

If such an owner fails to turn up to claim the above-mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the publication of this notice in the Government of India Gazette, the goods in question will be created as unclaimed and the case will be decided accordingly.

[No. VIII(b)10(42)Cus/58.]

**S.O. 481.**—Whereas it appears that the marginally noted goods which were—

S. No.	Description	Quantity	Value
1.	White Horse, Glasgo & London Marks,	32 Bottles	1280 <sup>00</sup>
2.	Johnny Walker Old Scotch Whisky Red label,	26 Bottles —do—	1040 <sup>00</sup>
3.	Three Star Por- tuguese Maciera Brandy.	6 Bottles —do—	00
4.	Constantino Porto fine old Brandy five stars,	124 Bot- tles —do—	2480 <sup>00</sup>
5.	Ring Brand, German Bear.	1 Bottle —do—	3.00
6.	Vice-Roy Por- tuguese Old Brandy (Half Size).	3 Bottles —do— (Half size).	30.00
7.	Napier John- ston Old Scotch Whisky,	5 Bottles —do—	200.00
8.	Caves Vice-Roy Old Brandy.	2 Bottles (Quarter size).	10.00
9.	Goa Country Liquor.	9 Bottles.	1 00
10.	Old Gunny bags.	12 Gunny bags.	3 00
TOTAL			5154 <sup>00</sup>

seized at Gaokarwada in Talewadi Beat on  
Goa Frontier on 25th December, 1957 were  
imported by land from Goa (Portuguese  
Territory in India) in contravention of  
Section 5(1) of the Land Customs Act, 1924  
and the Government of India, Ministry of  
Commerce & Industries I.T.C. Order No.  
17/55, dated 7th December, 1955 issued under  
the I. & E.(c) Act 1947 and deemed to  
have been issued under Section 19 of the Sea  
Customs Act, 1878 and the Goa Country  
Liquor was imported in contravention of the  
Government of India Finance Department  
(C.R.) Notification No. 2 Camp Customs,  
dated 26th January, 1946, issued under  
Section 19 of the Sea Customs Act, 1878.  
Now, therefore, any person claiming the  
goods is hereby called upon to show cause  
to the Collector Central Excise, Bombay,  
why the above-mentioned goods should not  
be confiscated under Section 5(3) of the  
Land Customs Act, 1924 read with Section  
167(8) of the Sea Customs Act, 1878 and  
why a penalty should not be imposed on him  
under Section 7(1) (c) of the Land Customs  
Act, 1924 read with Section 167(8) of the  
Sea Customs Act, 1878.

If such an owner falls to turn up to claim the above-mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(a)10(13)Cus/58.]

**S.O. 482.**—Whereas it appears that the marginally noted goods which were

S. No.	Description	Qty.
I.	35 bags containing white dried "Chali" variety betelnuts.	43 B. Maunds 16 seers.

seized by the Central Excise staff Honavar on 11th November, 1957 at Gaudikeri were imported by Sea from Goa (Portuguese Territory in India) in contravention of the Government of India, Ministry of Commerce and Industries I.T.C. Order No. 17/55, dated 7th December, 1955, issued under the Imports and Exports (Control) Act, 1947 and deemed to have been issued under Section 19 of the Sea Customs Act 1878. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Collector of Central Excise, Bombay why the above-mentioned goods should not be confiscated under Section 167(8) of the Sea Customs Act, 1878 and why a penalty should not be imposed on him under section 167(8) of the Sea Customs Act, 1878.

If such an owner fails to turn up to claim the above-mentioned goods or to show cause against the action proposed to be taken within 30 days from the publication of the notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(a)10(1)Cus/58.]

*Bombay, the 5th April 1958*

**S.O. 483.**—Whereas it has been reported to me that Shri Ebrahim Khalaf, Nakhuda of the vessel 'Mazrook' failed to pay the amount of the personal penalty of Rs. 5,000/- imposed on him in the Customs case adjudicated under this office order (Original) No. VIII(a)25(221)Cus/55, dated 22nd November, 1955, I order under the provisions of section 193 of the Sea Customs Act, 1878, that the above-said vessel which is lying in charge of this Department at Ratnagiri should be attached forthwith. I further order that should the Nakhuda of the vessel fail to pay the penalty and other charges within ten days of the issue of this order, the aforesaid vessel under attachment should be sold by Public auction for recovery of the said amount.

[No. VIII(a)25(221)Cus/58.]

T. C. SETH,

Collector of Central Excise and  
Customs, Bombay.

## CENTRAL BOARD OF REVENUE

### ESTATE DUTY

*New Delhi, the 31st March 1958*

**S.O. 484.**—In exercise of the powers conferred by the second proviso to sub-section (2) of Section 4 of the Estate Duty Act, 1953 (34 of 1953), and in supersession of its notifications No. 8/F.No. 21/7/55-E.D., dated the 1st February, 1956 and No. 24/F.No. 21/7/55-E.D., dated the 16th April 1956, the Central Board of Revenue hereby directs that subject to the pecuniary limits specified in the notification of the Central Board of Revenue No. 11-E.D. 21/52/57-E.D., dated the 5th September, 1957, every Income-tax Officer appointed to be an Assistant Controller and posted to the Estate Duty cum Income-tax Circle, Poona, and every Inspecting Assistant Commissioner of Income-tax, appointed to be a Deputy Controller and exercising jurisdiction over the said Circle, shall perform his functions as Assistant Controller and Deputy Controller respectively in the



said Circle to the exclusion of all other Assistant Controllers or Deputy Controllers in respect of the estates of all deceased persons, who immediately before their death were being or would have been assessed to Income-tax had they derived any taxable income, in any Income-tax Circle, the headquarters of which lies within the following revenue districts of Bombay State:—

1. Poona.
2. Satara North.
3. Satara South.
4. Kolhapur.
5. Ratnagiri.
6. Kolaba.
7. Sholapur.
8. Ahmednagar.
9. Thana.
10. Akola.
11. Amravati.
12. Yeotmal.
13. Buldhana.
14. Wardha.
15. Chanda.
16. Aurangabad.
17. Nanded.
18. Osmanabad.
19. Bhir.
20. Parbhani.

*Explanatory Note*

(This note is not part of the notification but is intended to be merely clarificatory).

It is considered desirable to express the estate duty jurisdiction with reference to revenue districts and not with reference to any Inspecting Assistant Commissioner of Income Tax Range as in the previous notifications. This will obviate the necessity of further amending the notification if and when there is any change in the Income Tax jurisdiction of the Inspecting Assistant Commissioner.

[No. 38/F.No. 21/7/55-E.D.]

**S.O. 485.**—In exercise of the powers conferred by the second proviso to sub-section (2) of section 4 of the Estate Duty Act, 1953 (34 of 1953), and in supersession of its notification No. 16/F.No. 21/74/57-E.D., dated the 17th December, 1957, the Central Board of Revenue hereby directs that, subject to the pecuniary limits specified in the notification of the Central Board of Revenue No. 11-ED/21/52/57-E.D., dated the 5th September 1957, every Income-tax

Officer appointed to be an Assistant Controller and posted to the Estate Duty-cum Income-tax Circle, Bangalore and every Inspecting Assistant Commissioner of Income-tax appointed to be a Deputy Controller and exercising jurisdiction over the said Circle shall perform his functions as Assistant Controller and Deputy Controller respectively in the said Circle to the exclusion of all other Assistant Controller or Deputy Controllers in respect of the estates of all deceased persons who immediately before their death were being or would have been assessed to income-tax had they derived any taxable income in any Income-tax Circle the headquarters of which lies within the revenue districts of Bangalore, Mysore, Mandya, Tumkur, Chickmagalur, Shimoga, Chitaldrug, Hassan, Bellary, Kolar, Coorg, North Canara, South Canara, Gulbarga, Raichur, Bidar, Bijapur, Belgaum and Dharwar.

*Explanatory Note*

(This note is not part of the notification but is intended to be merely clarificatory).

It is considered desirable to express the estate duty jurisdiction of the Assistant and Deputy Controller with reference to revenue districts instead of to the Ranges of the Inspecting Assistant Commissioners of Income-tax as previously done, as this will obviate the necessity of amending the notification whenever there is a change in the existing Inspecting Assistant Commissioners Ranges.

[No. 39/F. No. 21/74/57-E.D.]

B. M. MITRA, Secy.

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CENTRAL EXCISES

*New Delhi, the 12th April, 1958*

**S.O. 486.**—In exercise of the powers conferred by rule 233 of the Central Excise Rules, 1944, as in force in India and as applied to the State of Pondicherry, the Central Board of Revenue hereby directs that the Tobacco Excise Revenue Stamps shall become obsolete with effect from the 1st June, 1958, and that these Stamps will not be accepted towards payment of fees chargeable under the said Rules with effect from that date.

2. The Tobacco Excise Revenue Stamps may, however, be exchanged for current Central Excise Revenue Stamps of equal face value free of cost at the Indian Post Offices within six months from the aforesaid date, provided they are unused and unspoiled. No. extension of the above time-limit will be granted.

[No. 43.]

S. K. BHATTACHARJEE, Secy.

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MINISTRY OF COMMERCE AND INDUSTRY

*New Delhi, the 8th April 1958*

**S.O. 487.**—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following further amendment in the Cotton Textiles (Production by Handloom) Control Order, 1956, namely:—

In the said Order—

In sub-clause (1) of clause 4, for the figures and words "31st March 1958," the figures and words "30th June 1958", shall be substituted.

[No. F.48(55)Tex(C)/54.]

A. K. CHAKRAVARTI, Under Secy.

*New Delhi, the 2nd April 1958*

**S.O. 488.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the methods of recruitment to Class III posts in the Forward Markets Commission, Bombay, namely:—

**1. Short title.**—These rules may be called the Forward Markets Commission Class III Recruitment Rules, 1958.

**2. Method of recruitment.**—Recruitment to Class III posts in the Forward Markets Commission shall be in accordance with the provisions of the schedule annexed hereto.

## SCHEDULE

(See rule 2)

Name of post	No. of posts	Classification	Scale of Pay	Whether a selection or non-selection post	Age limit for direct recruits	Educational and other qualifications required
1.	2	3	4	5	6	7
1. Junior Research Assistants.	23	Class III Non-gazetted non-Ministerial.	Rs. 160—10—330.	Selection post.	Between 20 and 30 years.	<i>Essential</i> : A Master's degree in Economics or Commerce of a recognized University Or A degree in economics or Commerce of a recognized University plus a degree in Law/Chartered Accountancy/ Training in Statistical Methods.
2. Personal Assistant to Chairman.	1	Class III Non-gazetted Ministerial.	Rs. 160—10—330 plus Rs. 30 S. P.	Selection post.	Between 20 & 30 years.	<i>Essential</i> : (1) Matriculation or its equivalent ; (2) capacity to take dictation in shorthand at 120 words per minute for 8 minutes (3) Experience in filing and correspondence.
3. Personal Assistant to Members & Secretary.	3	Class III Non-gazetted Ministerial.	Rs. 160—10—330.	Selection post.	Between 20 & 30 years.	Do.
4. Librarian	1	Class III Non-gazetted Non-Ministerial.	Rs. 100—8—140—10—250.	Selection post.	Between 20 & 30 years.	<i>Essential</i> : (1) A degree in Economics or Commerce of a recognized University or its equivalent. (2) Diploma or certificate in Librarianship.

Whether age and educational qualifications prescribed (or direct recruits will apply in the case of recruitment by promotion transfer	Period of probation if any	Method of Recruitment (i. e. whether by direct recruitment, by promotion or by transfer percentage of vacancies to be filled by various methods	In case of recruitment by promotion/transfer, grades from which promotion to be made	If a Departmental Promotion Committee exists, what is its Composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
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8	9	10	11	12	13
Not applicable	One year in the case of direct recruits and in the case of others as may be fixed by the appointing authority at the time of appointment.	66½% of the posts by direct recruitment and 33½% by promotion.	1. Librarian. 2. Computers. 3. Comptist.	The Chairman, two members and the Secretary of the Forward Market Commission.	Consultation with the Union Public Service Commission is not necessary.
Not applicable.	Do.	By promotion; failing promotion by transfer failing transfer by direct recruitment.	Personal Assistants to Members and Secretary of the Forward Markets Commission.	Secretary Forward Markets Commission Chairman, Assistant Secretary and Inspecting Officer of that Commission Members, and Superintendent of the Commission Secretary.	Do.
Do.	Do.	Do.	Stenographers	Do.	Do.
Do.	Do.	By direct recruitment failing which, by promotion.	1. Upper Division Clerks 2. Lower Division Clerks.	Do.	Do.

1	2	3	4	5	6	7
5. Draftsman	2	Class III Non-gazetted Non-Ministerial.	Rs. 100—5— 125—6—155 EB—6—185.	..	Between 18 & 25 years.	<p><i>Essential</i> : (1) Matriculation or its equivalent of a recognized University ; (2) <sup>or</sup> a diploma in Drawing.</p> <p><i>Desirable</i> : Previous experience as Draftsman in a Government Office or a commercial firm.</p>
6. Stenographers.	9	Class III Non-gazetted Ministerial.	Rs. 80—5— 120—EB—8— 200—10/2— 220.	Selection post.	Between 18 & 25 years.	<p><i>Essential</i> : (1) Matriculation or its equivalent of a recognized University. (2) Capacity to take dictation in Short-hand at 100 words per minute for 5 minutes.</p>
7. Upper Division Clerks.	11	Class III Non-gazetted Ministerial.	Rs. 80—5— 120—EB—8— 200—10/2— 220.	Selection post.	Between 18 & 25 years.	<p><i>Essential</i> : A degree of a recognized University.</p>
8. Computer	8	Class III Non-gazetted Non-Ministerial	Rs. 60—4— 120—5—150.	..	Between 18 & 25 years.	<p><i>Essential</i> : (1) Matriculation or its equivalent of a recognized University ; (2) * Experience of handling a calculating machine efficiently and satisfactorily.</p> <p><i>Desirable</i> : Experience as a Comptist Computer in a Government office or a commercial firm.</p>
9. Comptist	1	Class III Non-gazetted Non-Ministerial.	Rs. 60—3—81— EB—4—125— 5—130+10 S. P.	..	Between 18 & 25 years.	<p><i>Essential</i> : (1) Matriculation or its equivalent of a recognized University ; (2) Experience of handling a calculating machine (Comptometer) efficiently and satisfactorily.</p> <p><i>Desirable</i> : Experience as a Comptist/Computer in a Government office or a commercial firm.</p>

8	9	10	11	12	13
..	One year	By direct recruitment.	..	Do.	Do.]
Not applicable	One year in the case of direct recruits and in the case of others as may be fixed by the appointing authority at the time of appointment.	By direct recruitment, failing which, by promotion.]	Lower Division Clerks.	Do.]	Do.
..	Do.	50% by direct recruitment and 50% by promotion/transfer.	Lower Division Clerks.]	Do.	Do.
..	One year	By direct recruitment.	..	Do.	Do.
..	Three months	By direct recruitment.	..	Secretary Forward Markets Commission Assistant Secretary and Inspecting Officer of that Commission & Superintendent of the Commission	Chairman, Consultation with the Union Public Service Commission is not necessary. Secretary.

1	2	3	4	5	6	7
*10. Lower Division Clerks	22	Class III Non-gazetted Ministerial	Rs. 60—3—81 EB—4—125— 5—130.	..	Between 18 & 25 years.	Essential : (1) Matriculation or its equivalent of a recognized University ; (2) Capacity to type at a speed of 36 to 40 words per minute.
11. Staff car Driver.	1	Class III Non-gazetted, Non-Ministerial.	Rs. 60—5/2— 75.	..	Between 20 & 30 years.	Essential : (1) must have studied upto Middle school, (2) should possess a motor driving licence.  Desirable : Experience in driving in a Govt. or Military department.

\*Lower Division Clerks will, by rotation, work as Telephone Operator. One post of tele-

NOTE.—The maximum age limit prescribed for direct recruits shall be relaxable in the case of accordance with the orders issued by the Government of India from time to time.



8	9	10	11	12	13
..	Three months	By direct recruitment.	..	Do.	Do.
..	Three months.	By direct recruitment.	..	Do.	Do.

phone operator is included in the total number of posts.

candidates belonging to Scheduled Caste and Scheduled Tribes and other special categories in.

[No. F.24(23)TMP/57.]

## TRADE MARK

*New Delhi, the 8th April, 1958*

S.O. 489.—In pursuance of sub-rule (2) of rule 140 of the Trade Marks Rules, 1942, it is hereby notified that in exercise of the powers conferred by sub-rules (1) of the said rule, the Central Government has caused the following alteration to be made in the Agents' Register in respect of the business address of Shri Aditya Narain Misra, a registered agent namely:—

International Trade Marks Bureau  
Jaipuria Building,  
Queens Road, Delhi.

[No. F.6(3)-TMP/58.]

## ORDER

## EXPORT TRADE CONTROL

*New Delhi, the 5th April 1958*

S.O. 490.—In pursuance of the powers conferred by sections 3 and 4A of the Imports and Exports (Control) Act, 1947 (18 of 1947), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Exports (Control) Order, 1954, namely:—

In Schedule I to the said Order—

Under the heading "B. RAW MATERIALS AND ARTICLES MAINLY UN-MANUFACTURED", for item 21, the following shall be substituted, namely:—

"21. Plastic raw materials, the following:—

- (i) Synthetic moulding powder,
- (ii) Synthetic resins."

[No. Export(1)/AM(66).]

## (Indian Standards Institution)

New Delhi, the 25th March 1958

**S. O. 491**—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that 5 licences, particulars of which are given in the Schedule hereto annexed, have been granted authorizing the licensees to use the Standard Mark.

## THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity		Name and Address of the Licensee	Articles/Process Covered by the Licence	Relevant Indian Standard
		From	To			
1.	CM/L-71 13-3-1958	1-4-1958	31-3-1959	Messrs. Travancore Chemical and Manufacturing Co. Ltd., Manjummel, Post Box No. 19, Alwaye.	Copper Sulphate, Technical.	IS : 261—1950 Specification for Copper Sulphate, Technical.
2.	CM/L-72 13-3-1958	1-4-1958	31-3-1959	The Hindustan Electric Co. Ltd., Industrial Area, New Township, Faridabad (Punjab).	Three-phase Induction Motors for Industrial Use, from 1 H.P. to 10 H.P.	IS : 325—1956 Specification for Three-phase Induction Motors for Industrial Use ( <i>Amended</i> ).
3.	CM/L-73 14-3-1958.	1-4-1958	31-3-1959	Messrs. Devidayal Cable Industries Private Ltd., Gupta Mills Estate, Darukhana, Reay Road, Bombay-10.	Enamelled High Conductivity Annealed Round Copper Wire (Oleo-Resinous Enamel).	IS : 449—1953 Specification for Enamelled High-Conductivity Annealed Round Copper Wire (Oleo Resinous Enamel).
4.	CM/L-74 14-3-1958	1-4-1958	31-3-1959	Messrs. Devidayal Cable Industries Private Ltd., Gupta Mills Estate, Darukhana, Reay Road, Bombay-10.	Hard-Drawn Copper Solid and Standard Circular Conductors for Overhead Power Transmission Purposes.	IS : 282—1951 Specification for Hard-Drawn Copper Solid and Stranded Circular Conductors for Overhead Power Transmission Purposes ( <i>Tentative</i> ).
5.	CM/L-75 14-3-1958	1-4-1958	31-3-1959	The Alkali and Chemical Corporation of India Ltd., 34 Chowringhee, Calcutta-16.	BHC Water Dispersible Powder Concentrates.	IS : 562—1955 Specification for BHC Water Dispersible Powder Concentrates.

A. N. GHOSH,  
Officiating Director,  
Indian Standards Institution.

[No. MDC/12(90)]

T. S. KUNCHITHAPATHAM, Under Secy.

**MINISTRY OF STEEL, MINES & FUEL****(Department of Mines & Fuel)****CORRIGENDUM***New Delhi, the 21st March 1958*

**S.O. 492.**—In the Schedule 'A' to Notification No. S.O. 20, dated 8th February 1958, published in Part II, Sub-Section (ii) of Section 3 of the Gazette of India, dated 15th February 1958, the entries mentioned in column 2 of the Schedule appended thereto are substituted by the entries at column 3 thereof.

**SCHEDULE**

1	2	3
<i>Block-II—Plan No. LA/5/57.</i>		
1 Plot No. in village Bachra between 781 and Part 823.	..	821
2 Plot Nos. in village Bachra after 827.	829 to 842	829 to 841, Part 842
3 Plot Nos. in village Bachra between part 863 and 866.	Part 865	865

[No. C2-7(101)/57.]

A. S. GREWAL, Under Secy.

**MINISTRY OF FOOD AND AGRICULTURE****(Department of Agriculture)***New Delhi, the 31st March 1958*

**S.O. 493.**—In exercise of the powers conferred by section 5 of the Essential Commodities Act, 1955 (10 of 1955), and in supersession of the notifications of the Government of India in the Ministry of Food and Agriculture No. S.R.O. 881, dated the 21st April, 1955 and No. S.R.O. 665, dated the 16th March, 1956 the Central Government hereby directs that the power to make orders under sub-section (1) of Section 3 of the said Act, to provide for matters specified in clauses (d), (e), (f), (h), (i) and (j) of sub-section (2) thereof shall, in relation to cotton seed, be exercisable in the new State of Punjab also by the State Government subject to the conditions that no order shall be made by the State Government without the prior approval of the Central Government and no order shall remain in force for a period of more than six months at a time unless before the expiry of the said period its duration is extended with the prior approval of the Central Government.

[No. F.7-3/58-C(E).]

**ORDER***New Delhi, the 31st March 1958*

**S.O. 494.**—In exercise of the powers conferred by section 5 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby directs that the powers conferred on it by section 3 of the said Act to make orders providing for the matters specified in clause (a) of sub-section (2) of the said section 3, shall, in relation to edible oil seeds and oils, be exercisable also by the Government of any State or the Administrator of any Union territory, within the State or Union territory, as the case may be, subject to the condition that before making any such order the said State Government or Administrator shall obtain the prior concurrence of the Central Government.

[No. 7-8/57-C(E).]

(Illegible),  
Secy.

**(Department of Agriculture)***New Delhi, the 2nd April 1958*

**S.O. 495.**—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following amendments in the Vegetable Oils Grading and Marking Rules, 1955, the same having been previously published as required by the said section, namely:—

In the said rules—

- (1) In Schedule IV, after column 10, a new column 11 shall be inserted with the heading "Bellier's Turbidity Test" and the following figures shall be entered thereunder against the grades mentioned below namely:—

Grade 1 (Edible)	28.5
Grade 2 (Edible)	26.5.

- (2) In Schedule V, after column 10 a new column 11 shall be inserted with the heading "Bellier's Turbidity Test" and the following figures shall be entered thereunder against the grades mentioned below namely:—

Refined (Edible)	39.41
Grade 1 (Edible)	39.41.
Grade 2 (Edible)	39.41.
Grade 3	39.41.

- (3) In Schedule VII after column 9 a new column shall be inserted with the heading "Polenske Value (not more than)" and the following figures shall be entered thereunder against the grades mentioned below namely:—

Refined (Edible)	13.0
Grade 1 (Edible)	13.0
Grade 2 (Edible)	13.0
Grade 3 (Industrial)	13.0.

- (4) In Schedule X, after column 9, a new column 10 shall be inserted with the heading "Bellier's Turbidity Test" and the following figure shall be entered thereunder against the grade mentioned below:—

Grade 1 (Edible)	25.26.
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[No. F.25-2/57-AM.]

V. S. NIGAM, Under Secy.

**(Indian Council of Agricultural Research)****(Department of Agriculture)***New Delhi, the 25th March 1958*

**S.O. 496.**—The following draft of certain further amendments to the Indian Central Oilseeds Committee Provident Fund Rules, 1949, which it is proposed to make, with effect on and from the 1st September 1957, in exercise of the powers conferred by section 17 of the Indian Oilseeds Committee Act, 1946 (9 of 1946), is published as required by sub-section (1) of the said section, for the information of persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 30th April, 1958.

Any objections or suggestions which may be received from any person with respect to the said draft before the date specified above will be considered by the Central Government.

*Draft Amendments*

In the said rules,—

- (1) for clause (b) of rule 9(1), the following clause shall be substituted, namely:—

"(b) It may be any sum, so expressed, not less than  $8\frac{1}{2}$  per cent and not more than  $15\frac{3}{4}$  per cent of his emoluments.;"

- (2) in sub-rules (2) and (4) of rule 11, for the figures and letters "1/16th", the figures and words  $8\frac{1}{2}$  per cent" shall be substituted.

[No. 5-12/58-Com.I.]

**S.O. 497.**—Shri C. H. Lingadevaru of Chikkanaikanahalli, Tumkur District, is nominated a member of the Indian Central Coconut Committee for a term of three years from 1st April, 1957, under Section 4(b) of the Indian Coconut Committee Act, 1944.

[No. 8-2/58-Com.I.]

MOKAND LALL, Under Secy.

## MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Transport)

(Transport Wing)

PORTS

*New Delhi, the 31st March 1958*

**S.O. 498.**—In pursuance of sub-section (2) of Section 6 of the Calcutta Port Act, III of 1890, the names of the following persons who have been elected as Commissioners of the Port of Calcutta, for a period of two years from 1st April, 1958, are hereby published for general information.

Name of elected person	Constituency from which elected
Sir B. P. Singh Roy	The Indian National Steamship Owners' Association.
Shri Rabindralal Sinha	Howrah Municipality.
Shri Bejoy Kumar Banerjee	Corporation of Calcutta.
Shri R. H. Mody	Indian Chamber of Commerce.
Shri Benu Gopal Bangur	
Shri N. L. Kanoria	Bengal Chamber of Commerce and Industry.
Shri G. D. Longhurst	
Shri N. Stenhouse	Bharat Chamber of Commerce
Shri H. S. Singhania	
Shri P. N. Talukdar	Bengal National Chamber of Commerce and Industry.
Shri T. C. Basu	
Shri B. C. Ghose	
Shri B. N. Mondal	

[No. 9C-PG-(3)/58.]

**S.O. 499.**—In pursuance of section 9 of the Madras Port Trust Act, 1905 (Madras Act II of 1905), the names of the following persons who have been elected as Trustees of the Port of Madras for a period of two years from 1st April, 1958 are hereby published for general information:—

Name of elected person	Constituency from which elected
Shri A. R. Liddiard	Madras Chamber of Commerce.
Shri E. F. G. Hunter	
Shri B. Ramalinga Reddy	Andhra Chamber of Commerce.
Shri Jayantilal P. Sanghrajka	
Shri A. M. Kothandarama Reddi	Southern India Chamber of Commerce.
Shri C. K. Duraivelan.	
Shri V.C. Sreeramulu Chetty	
Shri J. R. Nayak	Corporation of Madras
Shri M. V. Arunachalam	
Shri P. N. Lakshmipathy	Indian National Steamship Owners' Association.
Shri P. Lakshmipathy Naidu	

[No. 13C-PG(7)/58.]

D. A. R. WARRIAR, Under Secy.

(Departments of Communications and Civil Aviation)

New Delhi, the 31st March 1958

**S.O. 500.**—In exercise of the powers conferred by sub-section (1) of section 41 of the Air Corporations Act, 1953, the Central Government has, in consultation with the Corporations concerned, constituted Advisory Committees for the Air India International Corporation and the Indian Airlines Corporation. The Committees will consist of—

**AIR INDIA INTERNATIONAL CORPORATION ADVISORY COMMITTEE.**

*Chairman*

1. General Manager, Air India International Corporation.

*Members*

2. Shri H. C. Mathur, M.P.
3. Shri Joachim Alva, M.P.
4. Shri M. Valliulla, M.P.
5. Shri A. E. Currimbhoy.
6. Shri A. M. M. Arunachalam.
7. Shri Murarji J. Vaidya.
8. Shri M. A. Chidambaram.
9. Shri K. P. Goenka.
10. Shri F. C. Bodhwar.
11. Shri S. S. Ali.
12. Shri Somanathan Chettiar.
13. Major-General Himat Singhji.
14. Director General of Posts and Telegraphs.
15. Director General of Civil Aviation.

*Secretary*

Secretary, Air-India International Corporation.

**INDIAN AIRLINES CORPORATION ADVISORY COMMITTEE**

*Chairman*

1. General Manager, Indian Airlines Corporation.

*Members*

2. Shri Radha Raman, M.P.
3. Shri Upendranath Barman, M.P.
4. Shri A. Ramaswami Mudaliar, M.P.
5. Shri G. K. Khanna.
6. Shri C. Seshachalam.
7. Shri Gopal Das P. Kapadia.
8. Shri G. N. Noel-Tod.
9. Shri K. K. Roy.
10. Shri M. D. Dalmia.
11. Shri Lila Dhar Kotoky, M.P.
12. Shri R. V. Dongre.
13. Mrs. B. H. Zaidi.
14. Director General of Posts & Telegraphs.
15. Director General of Civil Aviation.

*Secretary*

Secretary, Indian Airlines Corporation.

2. The tenure of appointment of non-official members will be for two years, unless terminated earlier by the Central Government.

[No. 21-CA(1)/55.]

K. K. UNNI, Dy. Secy.

**MINISTRY OF IRRIGATION AND POWER***New Delhi, the 28th March 1958*

**S.O. 501.**—In exercise of the powers conferred by the proviso to sub-section (4) of Section 1 of the Electricity (Supply) Act, 1948 (LIV of 1948), and in partial modification of Notification No. EL.III-301(7), dated the 30th December 1957, the Central Government hereby further extends the period referred to in the said sub-section in the case of the Punjab, upto and including the 15th day of July 1958.

[No. EL.III-301(7).]

*New Delhi, the 31st March 1958*

**S.O. 502.**—In exercise of the powers conferred by the proviso to sub-section (4) of Section 1 of the Electricity (Supply) Act, 1948 (LIV of 1948), and in partial modification of Notifications No. EL.II-301(7), dated the 28th March 1957, and No. EL.III-301(7), dated the 30th December 1957, the Central Government hereby further extends the period referred to in the said sub-section up to and including the:

- (i) 31st day of May 1958, in the case of the State of Assam;
- (ii) 31st day of March 1959, in the case of all the Union territories, except Delhi.

[No. EL.III-301(7).]

G. D. KSHETRAPAL, Dy. Secy.

**MINISTRY OF REHABILITATION***New Delhi, the 6th March 1957*

**S.O. 503.**—In exercise of the powers conferred by rule 3(3) of the Insurance Claims Board Rules, 1952, the Central Government hereby appoint Shri Kali Sharan, Officer on Special Duty (Legal), Ministry of Rehabilitation, Jaisalmer House, New Delhi, to act as the Secretary of the Insurance Claims Board, to whom all communication intended for the Board may be addressed.

[No. 54(16)/55-Prop.I.]

P. G. ZACHARIAH, Dy. Secy.

**(Office of the Chief Settlement Commissioner)***New Delhi, the 11th March 1958*

**S.O. 504.**—In exercise of the powers conferred by Sub-Section (i) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints every officer for the time being holding the post of District Relief and Rehabilitation Officer in the Kanpur, Bareilly, Lucknow, Agra, Saharanpur, Meerut, Allahabad and Dehradun Districts in the U.P., State as Deputy Custodians of Evacuee Property for the purpose of discharging the duties imposed on the Custodian by or under the said Act with immediate effect.

[No. XV(56)PROP(ADMN)/58.]

I. N. CHIB, Dy. Secy.

**(Office of the Chief Settlement Commissioner)***New Delhi, the 2nd April 1958*

**S.O. 505.**—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Claims) Supplementary Act, 1954 (No. 12 of 1954), the Central Government hereby appoints Shri Bhagchand G. Chugani as Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his office in the Office of the Chief Settlement Commissioner.

2. The Central Government also appoints the said Officer as Additional Settlement Commissioner for the purpose of performing the functions assigned to such officer by or under the said Act with effect from the same date.

[No. 11-B(40)-58/CSC/AL.]



*New Delhi, the 3rd April 1958*

**S.O. 506.**—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri Maharaj Kishore as Deputy Chief Settlement Commissioner for the purpose of performing the functions assigned to such Commissioner by or under the said Act with effect from the date he took charge of his office.

[No. 11-A(20)/58-Admn.Int.]

M. L. PURI,  
Settlement Commissioner &  
*Ex-Officio* Under Secy.

(Office of the Chief Settlement Commissioner)

### ORDER

*New Delhi, the 3rd April 1958*

**S.O. 507.**—In exercise of the powers conferred by sub-section (2) of section 35 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), I, Shri L. J. Johnson, Chief Settlement Commissioner, hereby authorise Shri H. R. Nair, Regional Settlement Commissioner, New Delhi to make a complaint in writing in a court of law against any person who furnishes in his application for payment of compensation or in declaration under Chapter X of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, any information which he knows or has reason to believe to be false or which he does not believe to be true.

[No. F.10(28)Policy-I/58.]

L. J. JOHNSON,  
Chief Settlement Commissioner.

## MINISTRY OF LABOUR & EMPLOYMENT

*New Delhi, the 28th March 1958*

**S.O. 508.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the Industrial dispute between the employers in relation to the Katras Choitodih Colliery of M/S. Bird & Co. (Private) Ltd. and F.W. Heilgers & Co. (Private) Ltd. P. O. Sijua District Dhanbad.

### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.

REFERENCE No. 10 OF 1957.

#### PARTIES:

Employers in relation to the Katras Choitodih Colliery of Messrs. Bird & Co. (P) Ltd. and F.W. Heilgers & Co. (P) Ltd. P. O. Sijua Dt Dhanbad

#### AND

Their workmen.

*Dhanbad, the 14th March 1958*

#### APPEARANCES:

Shri Kanti Mehta, General Secretary, Colliery Mazdoor Sangh for the workmen.

Shri P. K. Mitter, Chief Personnel Officer, for the company.

#### PRESENT:

Shri Salim M. Merchant, B.A., LL.B., Chairman.

#### AWARD

The Government of India, Ministry of Labour & Employment by its order No. LR.II/55-5(23)/57, dated 27th September, 1957, made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes

Act, 1947 (XIV of 47), was pleased to refer the industrial dispute between the parties named above in respect of the matters specified in the schedule to the said order, which is reproduced below, for adjudication to me.

#### SCHEDULE.

"What should be the grade of Shri B. N. Sur, Magazine Clerk of Katras Choitodih colliery in terms of the Award of All India Industrial Tribunal (Colliery Dispute) Calcutta."

After the usual notices were issued, the colliery Mazdoor Sangh (hereinafter referred to as the Union), which represents the workmen concerned in this dispute, filed the statement of claim on 17th November, 1957 and the Manager, Katras Choitodih colliery, Messrs. Burrakur Coal Co. Ltd., Managing Agents of Messrs. Bird & Co. (Private) Limited (hereinafter referred to as the company) filed its written statement in reply on 6th December, 1957. The dispute was, thereafter, heard at Dhanbad on 12th March, 1958, when the parties examined their witnesses, filed statements and documents and made their submissions before me.

It is necessary first to state that the Katras Choitodih colliery belongs to Messrs. Burrakur Coal Co. Ltd. and is managed by Messrs. Bird & Co. (Private) Ltd. and M/s. F. W. Heilgers (Private) Limited has been wrongly mentioned.

Before dealing with the merits it is first necessary to deal with certain preliminary objections urged against the reference by the company in its written statement. Firstly it is contended that the present reference is bad as it concerns an individual workman and should be summarily rejected, and at the hearing Shri P. K. Mitter, the Personnel Officer, who represented the company, placed reliance upon the decision of the Hon'ble Supreme Court in the case of the Central Provinces Transport Services Limited (1957-I-LLJ. p. 27). That decision cannot help the management as there the Hon'ble Supreme Court has laid down that the preponderance of judicial opinion is clearly in favour of the view that a dispute between an employer and a single employee cannot *per se* be an industrial dispute within the meaning of Section 2(k) of the Industrial Disputes Act, 1947 but it might become one if it is taken up by a union or a number of workmen. It was further held that notwithstanding that the language of Section 2(k) is wide enough to cover a dispute between an employer and a single employee, the Scheme of the Industrial Disputes Act does appear to contemplate that the machinery provided therein should be set in motion to settle only disputes which involve the rights of workmen as a class and that dispute touching the individual rights of a workman was not intended to be the object of an adjudication under the Act when the same had not been taken by the union or a number of workmen. The order of reference herein clearly states that, "whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the Katras Choitodih colliery of Messrs. Bird & Co. (Private) Limited and F. W. Heilgers & Co. (Private) Limited P. O. Sinja, Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed." It is thus clearly not an individual dispute but a collective dispute between the company on the one hand and their workmen on the other, as to what should be the grade of Shri B. N. Sur a Magazine Clerk in the said colliery, in terms of the Award of the Majumdar Tribunal. What has been referred is thus a collective dispute between the company on the one hand and its workmen on the other relating to the question of what should be the grade of a particular employee. The cause of this particular employee, namely Shri B. N. Sur has been sponsored by the general body of the workmen of this company as represented by the colliery Mazdoor Sangh. It is thus not a dispute between the company and an individual employee but a collective dispute, the cause of the individual workman having been sponsored by the general body of workmen, who feel interested in it as the question of proper gradation might in future affect them also. It is now well settled law that such a dispute would be an industrial dispute. I therefore hold that the reference is a valid one and I have jurisdiction to entertain the same.

The next objection urged is that the dispute involves a question of implementation of the Award of the All India Industrial Tribunal (Colliery Disputes) (hereinafter referred to as Majumdar Tribunal) and therefore cannot be made the subject matter of a reference. In my opinion this contention also has no force. The question involved is not one of implementation of the Award, but as I shall presently show one of its proper interpretation. The dispute is with regard to the proper wages payable to Shri Sur under the terms and directions

of the Majumdar Award and over this question an industrial dispute has arisen, and, as such, in my opinion it was within the competence of the Government to have referred the dispute to a Tribunal for adjudication.

On the merits, the admitted facts are that Shri B. N. Sur, the workman concerned, was employed in this colliery about 17 years ago as a Register Clerk of a basic salary of Rs. 28 per month. In 1948 he was promoted to the post of a Magazine Clerk and his salary was raised to Rs. 33 per month, which was also his salary on 26th May, 1956 when the Majumdar Award came into operation. Before the Majumdar Tribunal about 955 coal mines distributed over 8 different States in the country were concerned. It was thus an All India dispute in which were concerned large coal mines employing as many as 5,000 workmen and small coal mines, some of them employing as few as about 50 workmen. Seven issues were referred to the Tribunal affecting the wages and other conditions of service of coal miners. The dispute covered not only manual labourers but those doing clerical work in collieries. As can well be imagined, there were varying designations in the various collieries for workmen doing the same kind of work, with varying grades of pay for them. With regard to coal miners and other doing manual work an agreed list of categorisation with their job descriptions was filed before the Tribunal for the purposes of their classification into the various categories for which wage scales were fixed by the Award. With regard to the clerical staff it was not possible for the parties to agree as to their job descriptions or their duties. What the parties did, however, was to file an agreed statement of grading and nomenclature for the clerical staff, which has been included as Appendix XVI to Volume II of the Award, and it forms part of the Award. Under this appendix the clerical staff in all collieries was divided by nomenclature into three grades, Grade I, Grade II and Grade III and the Majumdar Award by paragraphs 773, 774, and 775 fixed the following three scales of pay for them for the Bengal and Bihar areas:

Grade III clerk	Rs. 36—3—75.
Grade II clerk	Rs. 45—3—54—4—90.
Grade I clerk	Rs. 60—4—80—5—115.

In appendix XVI because of the varying sizes of the collieries and the different scales of pay prevailing there, clerks of certain nomenclatures were placed in more than one grade. With regard to Magazine Clerks, the category with which we are concerned, they were placed both in grade II and grade III. In grade II appears the nomenclature of "Magazine-in-charge/magazine clerk and in grade III also appears the nomenclature of "magazine clerks."

From the Majumdar Award there were appeals filed before the Labour Appellate Tribunal, which by its decision dated 29th January, 1957 raised the scales of basic pay of the three grades of clerical staff as awarded by the Majumdar Tribunal to:

Grade III	Rs. 43—3—82.
Grade II	Rs. 48—3—57—4—93.
Grade I	Rs. 63—4—83—5—118—8—158.

The grade and nomenclature as stated in Appendix XVI of the Majumdar Tribunal were also retained by the Labour Appellate Tribunal's decision. The Appellate Tribunal also directed that these scales of pay should come into operation from the same date on which the Majumdar Award became operative i.e., 26th May, 1956. It is hardly necessary to state that this colliery was a party to the dispute before the Majumdar Tribunal and in the appeals before the Labour Appellate Tribunal and that the Majumdar Award as modified by the decision of the Labour Appellate Tribunal is binding upon it.

Now, it is admitted that after the Majumdar Award Shri Sur was classified by the management as a grade III clerk. The union claims that he is entitled under the Majumdar Award as modified by the decision of the Labour Appellate Tribunal, to be placed in category II and is entitled to the pay after adjustment as prescribed by the Labour Appellate Tribunal's decision for grade II clerks. It is over this short question that the dispute under reference has arisen between the parties.

Before proceeding to discuss the merits of the decision it is necessary to state that at the hearing, on specific questions asked by Shri Kanti Mehta, it was admitted by Shri P. K. Mitter that this is a first class colliery and employs about

2,000 workmen. It was also admitted that in addition to his duties as Magazine clerk, Shri Sur also does the additional work of issuing other materials from the stores. In answer to another specific question put by Shri Kanti Mehta, Shri P. K. Mitter also admitted that Shri Sur was doing the duties prescribed for magazine in charge by regulation 56 of the Coal Mines Regulations, 1957, made by the Central Government in exercise of the powers conferred by Section 57 of the Mines Act, 1952 (XXXV of 1952), published in the Gazette of India, Extraordinary Pt. II, Section 3 dated 24th October, 1957 (page 2569 at page 2573). It may be stated that these regulations have been published in supersession of the Indian Coal Mines Regulations 1926. Under the 1923 regulations, the duties of a magazine in charge are specified in regulations 100 and 104 thereof. The present regulation 56 is, however, in amplification of the old regulations 100 and 104, but by and large the duties and responsibilities of the magazine in charge have remained the same and the fact that the old regulations did not specifically refer in terms to "magazine in charge" in my opinion makes no difference as the duties and responsibilities have remained the same and it was not shown by the management that in addition to Shri Sur as Magazine clerk, there was another person as magazine in charge.

It was also admitted at the hearing that Shri Sur is the only magazine clerk in this colliery and at the hearing the management filed a statement (Ex. E-1) showing how its clerical staff had been classified in the various grades under the Majumdar Award. It is admitted that the list is not exhaustive and does not cover the entire clerical staff employed in this colliery. It is, however, worthy of note that Register Keepers in this colliery have been classified under the Majumdar Award as modified by the Decision of the Labour Appellate Tribunal as Grade III clerks, while by my decision as Member, Labour Appellate Tribunal, in an earlier case of this colliery in a complaint under Section 23 of the Industrial Disputes (Appellate Tribunal) Act, 1950, (see decision dated 29th November, 1957 in Misc. case No. C-60 of 1957—Baldeo Singh and 29 others Vs. the management of Katras Choitodih colliery and others, I had classified Register Keepers as filling in grade II.

The company's case is mainly that in this colliery on an average only a small quantity of explosives—only about 60 to 80 lbs. per month—is utilised, and therefore the management was justified in classifying Shri Sur as a grade III clerk. To support this point the management led the evidence of two witnesses namely, (1) Shri Jitendra Lal Sinha, its Group Personnel Officer and (2) Shri Awani Kumar Chatterjee, Manager of the colliery. Shri Sinha stated that the duties of the magazine clerks in the group of collieries under Bird & Co. was to receive and issue explosives and to keep records of the same. He stated that in the group of collieries of Bird & Co., Magazine Clerks had been put in grade III. He further stated that the expenditure on explosives would depend not so much upon the number of workmen employed but upon the nature and quality of coal won and the method of winning the same and that on an average about 60 to 80 lbs. of explosives was used in the Katras Choitodih colliery as against 500 to 600 lbs. per month and in the Bhagband colliery—also of this company. He further stated that in the Bhagband colliery in December 1957, January and February 1958, that colliery had used 1241, 1255 and 1275 lbs. of explosives respectively, and yet the two magazine clerks in that colliery had been classified as Grade III clerks. In cross-examination he stated that of the 10 collieries in his company's group, only the Bhagband colliery had 2 clerks and in each of the remaining 9 collieries there was only one clerk employed in the magazine section and that even in the Bhagband colliery both the magazine clerks had been classified as grade III clerks. He, however, admitted that conditions vary from mine to mine and even in the same mine from time to time to justify the use of larger or smaller quantities of explosives. He also admitted that for certain months the expenditure of explosives in the Katras Choitodih colliery had exceeded the average of 60 to 80 lbs. a month. Shri Chatterjee in his evidence stated that whilst on an average the expenditure on explosives in this colliery was 60 to 80 lbs. a month, in some months it was as low as 10 lbs. and that the explosives were not issued daily but only when necessary. He further stated that the magazine was not opened for issue of explosives on about 5 or 6 days in the month. In cross-examination Shri Chatterjee stated that the average of explosives issued in this colliery was calculated at 60 to 80 lbs. a month on the basis of the average not for the period of the last six months but that that was the average for the period of six months from December 1955 to May 1956.

It will thus be seen that the company's case is that because the average expenditure of explosives in this colliery is comparatively small, Shri Sur has to do less work and therefore the management was entitled to put him in category III. But Shri Mehta has contended that the quantity of explosives

cannot be the job test. It is really the responsibility which the post carries that has to be properly evaluated. In this connection, it is also admitted that Shri Sur has an authorisation under the special rules under the Mines Act 1923 and that in the authorisation slip it is clearly stated that he has to observe a number of Rules under the Act specified therein. (Ex. W-1). It is also not denied that the quantity of explosives utilised would depend upon the conditions of the mine and the nature of the operations for winning coal being carried out in the colliery for the time being. For example there would be more explosives used during the de-pillaring stage than during the developing stage. I am, therefore, satisfied that it is not merely the quantity of explosives used that should be the proper test for evaluating the work of a magazine clerk but rather the responsibility involved in the nature of the work of a magazine clerk.

Now, it was admitted at the hearing by Shri P. K. Mitter that Shri Sur was discharging the duties as are specified in Regulation 56 for the Magazine in Charge. Now, in the Majumdar Award Appendix XVI magazine in charge is clearly classified in category II. In this case, there is a clear admission by the management that Shri Sur was performing the duties of an in charge magazine clerk and as in charge magazine clerk, has been classified in category II, Shri Sur in my opinion is entitled to be classified in category II. Apart from this, there are 3 other facts which also support his claim. One is that prior to his being appointed as Magazine Clerk Shri Sur was working as a Register Clerk on a salary of Rs. 28 per month and was in 1948 promoted to the post of Magazine Clerk on a salary of Rs. 33 per month. Now, Register clerks have been placed in grade II clerks under the Majumdar Award Shri Sur, if he had remained as a Register clerk, would have been entitled to be classified as grade II. Surely, it cannot be said that as a Register Clerk which was a lower post carrying a lower salary, he would have been entitled to be placed in grade II and as Magazine Clerk with higher responsibility, he should be classified in the lower grade III.

The second reason is that Shri Sur in addition to doing the duties of a magazine clerk also does the work of issuing certain items of stores.

Thirdly, it is admitted that certain other categories of clerks who were drawing a basic pay of Rs. 28 have been classified in grade II whilst Shri Sur who was promoted to a higher post and was drawing a salary of Rs. 33 per month was kept in grade III. The argument is that the salaries which were being paid in the colliery prior to the date of the Majumdar Award came into force would to a certain extent, be the criterion of the value in terms of salary put by the management on the duties and responsibilities performed by the particular employee. Even this basis would support Shri Sur's claim to be put in grade II.

It must also be remembered that, what the Majumdar Tribunal by its Award and the Labour Appellate Tribunal by its decision did, was to fix the minimum scales of pay to be paid for the various categories. In the Award the Majumdar Tribunal has expressed the hope that the larger collieries with larger resources would be expected to pay higher wages than fixed under the award. Even on the basis of this observation this colliery which is a First Class Colliery and which employs about 2,000 workmen can well be expected to be little more liberal in its interpretation of the Award.

Taking all these facts, I am satisfied that Shri Sur was entitled to be classified as category II clerk and that the company has wrongly classified him as category III clerk. I therefore direct that he shall be classified as category II clerk with effect from 26th May 1956 and shall be entitled from that date to all the benefit of the pay scale prescribed by the decision of the Labour Appellate Tribunal along with the method of adjustment prescribed in that decision and with the benefits of increments etc. applicable to grade II clerks. I further order that these directions shall have retrospective effect from 26th May, 1956 and that Shri Sur shall be paid the amount found due to him within two months from the date of this award. No order as to costs.

(Sd.) SALIM M. MERCHANT,  
Chairman.

Central Government Industrial Tribunal.

[No. LR-II-55-5(23)/57.]

*New Delhi, the 8th April 1958*

**S.O. 509.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Nagpur, in the industrial dispute between the Cochin National Bank Ltd., Trichur and its workmen.

BEFORE SHRI P. D. VYAS, CENTRAL GOVT. INDUSTRIAL TRIBUNAL,  
NAGPUR AT BOMBAY.

REFERENCE (CGIT) No. 3 OF 1958

ADJUDICATION BETWEEN

The Cochin National Bank, Ltd., Trichur.

AND

Their Workmen.

In the matter of termination of the services of Shri M. V. Veloo.

APPEARANCES: Nil.

### AWARD

The Central Government in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), has made this reference to me for adjudication of an industrial dispute between the Cochin National Bank, Ltd., Trichur and their workmen by S.R.O. 303, dated 17th March, 1958. The dispute relates to the matter specified in the schedule annexed to the said Order.

### SCHEDULE

"Alleged wrongful termination of the services of Shri M. V. Veloo and the relief, if any, to which he is entitled."

2. On receipt of this reference, the usual notices have been issued to the parties to file their respective statements on or before the 15th April 1958. In the meantime an intimation has been received from the Cochin National Bank Ltd., as well as the Kerala Bank Employees' Union under their respective letters dated 25th March, 1958 and 26th March, 1958, that the matter in dispute has been settled between the parties and that Shri M. V. Veloo has been reinstated in the services of the Bank. The dispute is thus no more pending and the parties desire that the same may be treated as having been settled. Intimation received from the parties is in the form of copies of the said letters addressed to the Under Secretary to the Government of India, Ministry of Labour and Employment, New Delhi and these copies are annexed hereto marked A & B. Nothing further is thus required to be done in the reference and it is disposed of as privately settled between the parties. No order as to costs.

*The 31st March, 1958*

P. D. VYAS,  
Judge,  
Central Govt. Industrial Tribunal,  
Nagpur at Bombay.

### ANNEXURE A

Trichur.

Dated 25th March, 1958.

The Under Secretary to the  
Government of India,  
Ministry of Labour and Employment,  
New Delhi.

Sir,

*Your Order dated 17th March 1958 regarding alleged wrongful termination of the services of Shri M. V. Valoo.*

The matter under dispute has been amicably settled between the parties when the appeal filed by the employee under the shops and Establishment Act. was taken up for hearing before the Deputy Labour Officer, Alwaye on 6th March, 1958, and a joint compromise petition was put up.

Therefore there is no other matter which requires adjudication and hence it is requested to cancel the order of adjudication.

Yours faithfully,

Sd/-.

Manager.

Cochin National Bank Ltd.

For favour of  
information copies  
forwarded to:

(1) President,

All Kerala Bank Employees Union,  
Trichur Unit, Trichur.

(2) Sri P. D. Vyas, Member, Labour  
Appellate Tribunal.

(3) Registrar, Labour Appellate  
Tribunal, Bombay.

Received by post. Recorded.

Sd/-

P. D. VYAS.

The 31st March, 1958

ANNEXURE B

Ref. No. CNB-DISP/8/58.

Trivandrum

Date: 26-3-1958.

SUB: Termination of Service of Sri M. V. Veloo of the Cochin National Bank Ltd.,  
Trichur.

Ref. Your Letter No. IRI.10(89)/57 d/-17/3/58.

Dear Sir,

We are extremely grateful for having referred the above matter for adjudication before Shri P. D. Vyas, Member, Labour Appellate Tribunal, Bombay.

But in this connection, we wish to state that the matter has been directly settled between the employee concerned and the Bank and our representative on 6th March, 1958 and accordingly Sri M. V. Veloo has been reinstated into the service of the Bank.

We therefore wish to inform you that the dispute is no more pending and may be treated as having settled.

Thanking you,

Yours faithfully,

Sd/- K. DAMODARAN NAIR,

Ag. President.

Kerala Bank Employees' Union.

Copy to:

Shri P. D. Vyas, Member,  
Labour Appellate Tribunal, Bombay.

Received by post. Recorded.

The 31st March, 1958.

Sd/- P. D. VYAS

[No. LRI-10(89)/57.]

## ORDER

*New Delhi, the 3rd April 1958*

**S.O. 510.**—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to New Jemehari Khas Colliery, P.O. Jaykaynagar, Burdwan, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of the sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal constituted under section 7A of the said Act.

## THE SCHEDULE

Whether the refusal on the part of the management of New Jemehari Khas Colliery, to re-employ Sarvashri Narain Chandra Ghose, Suresh Bhar, Nalini Kanta Bose and Srimati Uma Biswas retrenched workmen, on restarting of the colliery during January, 1957 was improper and if so, whether these workmen should be reinstated or given any other alternative relief.

[No. LR II/2(34)/58.]

A. L. HANDA, Under Secy.

*New Delhi, the 1st April 1958*

**S.O. 511.**—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment in the Coal Mines Provident Fund Scheme published with the notification of the Government of India in the late Ministry of Labour No. PF-15(5)/48, dated the 11th December, 1948, namely:—

In the proviso to paragraph 37A of the said Scheme, for the words and figures "the 27th January, 1958," the words and figures "the 1st January, 1958" shall be substituted.

[No. PF-I/2(114)/56-I.]

**S.O. 512.**—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment in the Andhra Pradesh Coal Mines Provident Fund Scheme published with the notification of the Government of India in the late Ministry of Labour No. S.R.O. 657, dated the 12th March, 1956, namely:—

In the proviso to paragraph 16 of the said Scheme, for the figures and words "18th July, 1955" and "27th January 1958", the figures and words "1st April, 1956" and "1st January, 1958" shall respectively be substituted.

[No. PF-I/2(114)/56-II.]

**S.O. 513.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as M/S. F. Bock and Company, Shale Building, Bank Street, Bombay-1, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of January, 1958.

[No. PF-II-9(1)/58.]

*New Delhi, the 2nd April 1958*

**S.O. 514.**—In exercise of the powers conferred by Section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment to the notification of the Government of India in the late Ministry of Labour No. PF-15(8)/49, dated the



13th December, 1949, extending the Coal Mines Provident Fund Scheme to Coal Mines in Assam, namely:—

In paragraph 25 of the said Scheme as modified by paragraph 3 of the said Notification, for the words and figures "the 26th January, 1958", the words and figures "the 31st December, 1957" shall be substituted.

[No. PF-I/2(114)/56-III.]

**S.O. 515.**—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment to the notification of the Government of India in the late Ministry of Labour No. PF.23(1)/49, dated the 13th December, 1949, extending the Coal Mines Provident Fund Scheme to coal mines in the territory formerly known as State of Talcher comprised in the State of Orissa, namely:—

In paragraph 25 of the said scheme as modified by paragraph 3 of the said notification, for the words and figures "the 26th of January 1958", the words and figures "the 31st December, 1957" shall be substituted.

[No. PF-I/2(114)/56-IV.]

**S.O. 516.**—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment to the notification of the Government of India in the late Ministry of Labour No. PF. 23(1)/50, dated the 16th January 1950, extending the Coal Mines Provident Fund Scheme to coal mines in the territories which were formerly known as the State of Rewa and the State of Korea and which are comprised in the State of Madhya Pradesh, namely:—

In paragraph 25 of the said scheme as modified by paragraph 3 of the said notification, for the words and figures "the 26th of January, 1958", the words and figures "the 31st December, 1957" shall be substituted.

[No. PF-I/2(114)/56-V.]

*New Delhi, the 5th April 1958*

**S.O. 517.**—In pursuance of Explanation II to section 7 of the Payment of Wages Act, 1936 (4 of 1936), read with section 24 of the said Act, the Central Government hereby specifies the following requirements with which any rules framed by an employer in relation to his employees employed in Railways, mines and oil fields for the imposition of any of the penalties referred to in clause (i), clause (ii) or clause (iii) of that Explanation shall conform, namely:—

All such rules shall provide that—

- (i) any such penalty as aforesaid, except the penalty of suspension, shall not be imposed unless the person concerned—
  - (a) has been informed of the charges in respect of which it is proposed to impose the penalty,
  - (b) has been given a reasonable opportunity of showing cause why the proposed penalty should not be imposed;
- (ii) the person concerned is given a right of appeal against any order imposing the penalty.

[No. Fac. 49(21).]

#### CORRIGENDUM

*New Delhi, the 8th April, 1958*

**S.O. 518.**—In the orders of the Government of India in the Ministry of Labour and Employment Nos. 226 and 227 dated the 8th March, 1958 published in the Gazette of India, Part II Section 3—sub-section (ii) dated the 15th March, 1958 on pages 171 and 172 for the words "I.A.S." substitute "O.A.S.",

[No. PF-I/31(376)/57.1

BALWANT SINGH Under Secy

(Office of the Central Provident Fund Commissioner)

*New Delhi, the 13th March 1958*

**S.O. 519.**—Whereas in the notification of the Government of India, Ministry of Labour and Employment, No. S.R.O. 3416, dated the 26th October, 1957, Messrs. Dewan Bahadur Ramgopal Mills Ltd., Hyderabad, among others, was exempted from the operation of the Employees' Provident Funds Scheme, 1952, subject to the conditions specified in Schedule II to the said notification:

And whereas M/s. Dewan Bahadur Ramgopal Mills Ltd., aforesaid has failed, in spite of repeated directions, to invest accumulations in approved securities as required by the conditions subject to which the exemption was granted:

Now, therefore, in exercise of the powers conferred by section 17 of the Employees' Provident Funds Act, 1952 (19 of 1952), read with the notification of the Government of India, Ministry of Labour No. S.R.O. 1860, dated the 31st May, 1954, I, S. N. Mubayi, Central Provident Fund Commissioner, hereby cancel the exemption granted to Messrs. Dewan Bahadur Ramgopal Mills Ltd., aforesaid and direct that the following amendment be made in the notification of the Government of India in the Ministry of Labour and Employment No. S.R.O. 3416, dated the 26th October, 1957, namely:—

In Schedule I to the said notification, serial No. 206 relating to the Dewan Bahadur Ramgopal Mills Ltd., Hyderabad, and the entries against that serial number shall be omitted.

2. M/s. Dewan Bahadur Ramgopal Mills Ltd., are further directed to transfer the entire provident fund accumulations standing to the credit of the members of their provident fund scheme to the Fund established under the Employees' Provident Funds Scheme, 1952, as soon as possible, and in any case, not later than 30 days in the case of securities and not later than ten days in the case of cash in hand or in bank, together with a statement or statements as may be required by the Regional Provident Fund Commissioner, Employees' Provident Fund, Andhra Pradesh.

[No. E-109/Hy/Tx/2/5154.]

S. N. MUBAYI,

Central Provident Fund Commissioner.